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8 Attorneys for Defendants Champion
9 Laboratories, Inc. and United Components

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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA

14

15 BAY AREA TRUCK SERVICES, a division
16 of TESI LEASING, INC., a California
17 Corporation, on behalf of itself and all others
18 similarly situated,

19 Plaintiff,

20 v.

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22 CHAMPION LABORATORIES, INC.;
23 UNITED COMPONENTS, INC.;
24 PUROLATOR FILTERS N.A. L.L.C.;
25 HONEYWELL INTERNATIONAL, INC.;
26 WIX FILTRATION CORP LLC;
27 CUMMINS FILTRATION, INC.;
28 THE DONALDSON COMPANY;
and DOES 1-10,

Defendants.

Case No. 08-CV-03096 PVT

**STIPULATION EXTENDING TIME TO
RESPOND TO COMPLAINT**

JURY TRIAL DEMANDED

1 Plaintiff Bay Area Truck Services, a division of TESI Leasing, Inc. ("Plaintiff")
 2 and Defendants Honeywell International, Inc., Champion Laboratories, Inc., Purolator Filters
 3 N.A. L.L.C., Wix Filtration Corp LLC, Donaldson Company, Inc., ArvinMeritor, Inc., Baldwin
 4 Filters, Inc., "Bosch U.S.A.",¹ Mann + Hummel U.S.A., Inc., and United Components, Inc.
 5 (collectively, "Defendants") stipulate and agree as follows to extend the time to respond to the
 6 Complaint on file in this action.

7 1. On June 26, 2008, Plaintiff filed the complaint in this action
 8 ("Complaint"), which alleges claims under Section 1 of the Sherman Act, 15 U.S.C. § 1, and
 9 various state antitrust and consumer protection laws. Plaintiff styled the Complaint as a putative
 10 class action.

11 2. As of the date of this Stipulation, at least 42 other complaints have been
 12 filed in this and other judicial districts (collectively, the "Filters Cases"). All of these complaints
 13 also allege federal and/or state law antitrust claims against the Defendants and are styled as
 14 putative class actions.

15 3. Four motions are pending before the Judicial Panel on Multidistrict
 16 Litigation ("JPML" or "Panel") to transfer and consolidate all existing and subsequently filed
 17 antitrust actions related to the claims alleged in the Complaint to a single district pursuant to 28
 18 U.S.C. § 1407 ("JPML Motions"). The Panel has scheduled a hearing on the JPML Motions for
 19 July 31, 2008.

20 4. In light of the multiplicity of complaints on file and the pending motions
 21 before the JPML, the parties agree to extend the time for Defendants to answer or otherwise
 22 respond to the Complaint until the earliest of the following dates: (1) thirty days after the filing
 23 of a Consolidated Complaint in the Filters Cases, or whatever other deadline is set by the
 24 transferee court, in the event the Panel grants the MDL Motion ("Response Date"); or (2) thirty
 25 days after service of the MDL Order or whatever other deadline is set by the Court in this
 26 Action, in the event the Panel denies the MDL Motion, *provided, however,* that in the event that

27 ¹ Plaintiff named "Bosch U.S.A." as a defendant in this action. Undersigned counsel for
 28 Robert Bosch LLC is unaware of any entity named "Bosch U.S.A." and represents Robert Bosch
 LLC for purposes of this stipulation.

- 1 any undersigned Defendant should answer, agree or be ordered to answer, move or otherwise
- 2 respond to the complaint in any of the Filters Cases prior to the Response Date, then that
- 3 Defendant shall respond to the complaint in the Plaintiffs' Action by that earlier date.

4 5. This extension is available, without further stipulation with counsel for
5 Plaintiff, to all named defendants who notify Plaintiff in writing of their intention to join this
6 Stipulation.

7 IT IS HEREBY STIPULATED.

8 | Dated: July 24, 2008

Respectfully submitted,

LATHAM & WATKINS LLP

By: /s/ Jennifer A. Carmassi
Jennifer A. Carmassi (221592)

Attorneys for Defendants Champion Laboratories, Inc. and United Components, Inc.

Dated: July 24, 2008

GIRARD GIBBS LLP

By: /s/ Alex C. Turan
Daniel C. Girard (114826)
Alex C. Turan (227273)

Attorneys for Plaintiff Bay Area Truck Services,
a division of TESI Leasing, Inc.

Dated: July 24, 2008

FOLEY & LARDNER LLP

By: /s/ Eileen Ridley
Eileen Ridley (151735)

Attorneys for Defendant Donaldson Company, Inc.

4 | Dated: July 22, 2008

O'MELVENY & MYERS LLP

By: /s/ Richard G. Parker
Richard G. Parker (62356)

Attorneys for Defendant Honeywell International Inc.

1 Dated: July 22, 2008

CROWELL & MORING LLP

2 By: /s/ Daniel Sasse
3 Daniel Sasse (236234)4 Attorneys for Defendants Purolator Filters N.A.
5 L.L.C. and Robert Bosch LLC

6 Dated: July 22, 2008

BAKER & MCKENZIE LLP

7 By: /s/ Tod L. Gamlen
8 Tod L. Gamlen (83458)

9 Attorneys for Defendant Baldwin Filters Inc.

10 Dated: July 22, 2008

HOWREY LLP

12 By: /s/ David M. Lisi
13 David M. Lisi (154926)

14 Attorneys for Defendant Wix Filtration Corp LLC

15 Dated: July 22, 2008

DICKSTEIN SHAPIRO LLP

17 By: /s/ George R. Pitts
18 George R. Pitts (109827)

19 Attorneys for Defendant ArvinMeritor, Inc.

20 Dated: July 25, 2008

SNYDER MILLER & ORTON LLP

22 By: /s/ Luther Orton
23 Luther Orton (54258)

25 Attorneys for Mann + Hummel U.S.A., Inc.

24 FILER'S ATTESTATION:

25 Pursuant to General Order No. 45, § X(B) regarding signatures, I attest under penalty of
26 perjury that the concurrence in the filing of this document has been obtained from its signatories.

27 Dated: July 25, 2008

28 By: /s/ Jennifer A. Carmassi
Jennifer A. Carmassi